

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

UNITED STATES OF AMERICA	§	
	§	
V.	§	CAUSE NO. DR-10-7258M(1)
	§	
	§	
JAVIER GALINDO-CABALLERO	§	

**DEFENDANT'S MOTION FOR CONTINUANCE
OF PRELIMINARY HEARING**

TO THE HONORABLE COLLIS WHITE, UNITED STATES MAGISTRATE JUDGE:

Defendant, JAVIER GALINDO-CABALLERO, through his attorney, Angela R. Saad, Assistant Federal Public Defender, respectfully moves this Honorable Court for a continuance of the current setting herein of October 8, 2010 and would respectfully show the Court as follows:

I.

This case is set for a preliminary hearing and detention hearing on October 8, 2010.

II.

Defense counsel is requesting a continuance because additional time is needed to prepare and confer.

III.

Defendant anticipates that the filing of this motion will result in excludable delay as contemplated by 18 U.S.C. § 3161(h)(8).

PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendant prays for a continuance of the preliminary and detention hearing until Wednesday, October 13, 2010, or at some other date which is more convenient to the Court.

Respectfully submitted.
HENRY J. BEMPORAD
Federal Public Defender

/S/ (Angela R. Saad)
ANGELA R. SAAD
Assistant Federal Public Defender
Western District of Texas
2205 Veterans Blvd. Ste. A2
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State Bar Number: 24059016
Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that on the 7th day of October, 2010, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Ms. Erica Giese, Assistant U.S. Attorney, U.S. Courthouse, Del Rio, Texas

/s/
ANGELA SAAD
Attorney for Defendant

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ORDER

On this day, came on to be considered by the Court the Motion for Continuance filed herein by Defendant, Javier Galindo-Caballero.

The Court, after considering same, is of the opinion that such Motion is well taken and should be **GRANTED**.

It is therefore **ORDERED** that the hearing currently set herein for October 8, 2010, is continued; and, such hearing is re-set for the _____ day of _____, 2010, at _____ o'clock, _____.m.

SO **ORDERED** this the _____ day of _____, 2010.

Collis White
United States Magistrate Judge